



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

May 13, 2025

By ECF

The Honorable Jesse M. Furman
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *Rona, et al. v. Trump, et al.*, No. 25 Civ. 3114 (JMF)

Dear Judge Furman:

This Office represents defendants Donald J. Trump, the United States Department of State, Marco A. Rubio, the United States Department of the Treasury, Scott K.H. Bessent, the United States Department of Justice, Pamela J. Bondi, the Office of Foreign Assets Control (“OFAC”), and Lisa M. Palluconi (together, the “Government”) in the above-referenced action. We write respectfully in response to the Court’s direction, given at the conference held on April 21, 2025, to inform the Court of the Government’s position on consolidating the hearing on Plaintiffs’ motion for a preliminary injunction with the trial on the merits pursuant to Rule 65(a)(2) of the Federal Rules of Civil Procedure.

The Government opposes consolidation at this time, as OFAC anticipates issuing regulations implementing Executive Order 14,203 that may bear on this litigation. But the Government would not oppose consolidation following issuance of the anticipated regulations and an opportunity to be heard regarding their effect on this litigation.¹ If the Court wishes to consolidate following issuance of the anticipated regulations, the Government would respectfully request that it first be permitted to file a supplemental brief, or to inform the Court that it will not file such a brief, within 21 days of issuance of the OFAC regulations, and that Plaintiffs be permitted to file a response within 14 days of any supplemental brief filed by the Government. Plaintiffs’ position is “that consolidation at this juncture is appropriate so the Court can expeditiously proceed to a final judgment on the merits. Plaintiffs reserve the right to respond to Defendants’ forthcoming letter to the Court.”

¹ The Government understands that such regulations are likely to be issued in the near term.

We thank the Court for its consideration of this matter.

Respectfully,

JAY CLAYTON
United States Attorney for the
Southern District of New York

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